

DECLARATION UNDER 37 CFR §1.131

The undersigned Inventors declare and state as follows:

1. We are the inventors of the above-captioned patent application, U.S. Application Serial No. 09/075, 152, filed May 8, 1998.

2. Prior to the effective date (September 3, 1997) of the Guido reference, we, the inventors, had conceived and were diligently reducing to practice our claimed invention(s) in this country, as described and claimed in the subject patent application.

This is evidence by the following:

(a) Prior to the effective date of the Guido reference, we conceived and were diligently reducing to practice our design and construction of a prototype in which digital images were capable of being compressed and transferred. The prototype was capable of receiving and compressing digitized image information using customized software that we developed. The compressed image information was transferred to a second prototype, which received the compressed image information. The second prototype functions essentially in the opposite manner as the first prototype. The second prototype then decompressed the compressed image information into a form capable of being displayed. The decompressed image information was then transferred to a projector for display.

(b) Submitted herewith is a block diagram prepared by the inventors. The contents of the block diagram (previously submitted on November 7, 2002) were conceived and diligently being reduced to practice prior to the effective date of the Guido reference.

(c) As can be seen by reading claim 1 while referencing the diagram, each element is supported. The element "*means for independently receiving at each of the plurality of viewing locations...*" corresponds to the "Demod" box and

"Decrypt/Decode" box in each Auditorium ("Auditorium 1 through Auditorium N") illustrated in the diagram. The element *"means for independently storing in a storage system..."* correlates to the "Disk Storage" boxes and pathways in the diagram. The element *"means for independently distributing the compressed and encrypted image..."* correlates to the "Fiber Channel Busses" pathway illustrated in the diagram. The elements *"means for independently decrypting..."* and *"means for independently decompressing..."* correlates to the "Decrypt/Decode" box in each Auditorium ("Auditorium 1 through Auditorium N") illustrated in the diagram. The element *"at least one projection system..."* correlates to "The Projector" box in each Auditorium ("Auditorium 1 through Auditorium N") illustrated in the diagram. The element *"at least one sound system..."* correlates to "The Audio System" box in each Auditorium ("Auditorium 1 through Auditorium N") illustrated in the diagram.


(d) Similarly, comparing elements of claim 70 while referencing the diagram, also shows that each element is supported. The element *"independently receiving at each of the plurality of viewing locations..."* corresponds to the "Demod" box and "Decrypt/Decode" box in each Auditorium ("Auditorium 1 through Auditorium N") illustrated in the diagram. The element *"independently storing in a storage system..."* correlates to the "Disk Storage" boxes and pathways in the diagram. The element *"independently distributing the compressed and encrypted image..."* correlates to the "Fiber Channel Busses" pathway illustrated in the diagram. The elements *"independently decrypting..."* and *"independently decompressing..."* correlates to the "Decrypt/Decode" box in each Auditorium ("Auditorium 1 through Auditorium N") illustrated in the diagram. The element *"receiving the at least one corresponding image program at at least one projection system..."* correlates to "The Projector" box in each Auditorium ("Auditorium 1 through Auditorium N") illustrated in the diagram. The element *"receiving the plurality of corresponding audio programs at at least one sound system..."* correlates to "The Audio System" box in each Auditorium ("Auditorium 1 through Auditorium N") illustrated in the diagram.

(e) Comparing elements of claim 136 while referencing the diagram, also shows that each element is supported. The element "*a central facility for ...*" correlates to the "QDC Central Hub" illustrated in the diagram. The element "*means for encrypting ...*" correlates to the "Compress/Encrypt/Modulate" box illustrated in the diagram. The element "*means for compressing ...*" correlates to the "Compress/Encrypt/Modulate" box illustrated in the diagram. The element "*means for transferring...*" correlates to the "Ku Band Satellite" illustrated in the diagram.

(f) Similarly to (e), comparing elements of claim 143 while referencing the diagram, also shows that each element is supported. The element "*receiving and storing in a central facility...*" correlates to the "QDC Central Hub" illustrated in the diagram. The element "*encrypting...*" correlates to the "Compress/Encrypt/Modulate" box illustrated in the diagram. The element "*compressing ...*" correlates to the "Compress/Encrypt/Modulate" box illustrated in the diagram. The element "*transferring...*" correlates to the "Ku Band Satellite" illustrated in the diagram.

(g) Accordingly, the invention(s) as defined by claim 1, claim 70, claim 136, and claim 143 were conceived and diligently reduced to practice prior to the effective date of the Guido reference. Claims 3-8, 14, 16-21, 43-47, 49-55, and 59-61 ultimately depend on claim 1; Claims 72-77, 82, 84-88, 110-121, and 123-126 ultimately depend on claim 70; Claims 9-13, 22-27, 29, 30-41, 62-69, and 137-142 ultimately depend on claim 136; Claims 78-81, 89-108, 127-135, and 144-150 ultimately depend on claim 143. As such, the Guido reference is not available as prior art against any of the pending claims 1, 3-14, 16-27, 29-41, 43-47, 49-55, 59-70, 72-82, 84-108, 110-121, 123-150.

We hereby acknowledge that all the statements made of our own knowledge are true and that all statements made on information and belief are believed to be true; and further acknowledge that willful false statements and the likes so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

DATED: 10/31/07

STEVEN A. MORLEY

DATED: _____


GREGORY L. WESTLING

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System Block Diagram

